

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HALEY DARIA,

Plaintiff,

v.

SAPIENT INC, *et al.*

Defendants.

No. C 17-05453 WHA

**ORDER DENYING MOTION  
FOR RECONSIDERATION  
AND GRANTING LEAVE TO  
AMEND**

Pro se plaintiff Haley Daria now moves for reconsideration of a November 6 order denying her motion for appointment of counsel, and dismissing her complaint for failure to state a claim *sua sponte*, and seeks leave to amend her complaint.

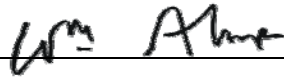
Leave for reconsideration is appropriate in the event that there is a material difference in fact or law, or a manifest failure to consider material facts or dispositive legal arguments. Civ. L. Rule 7–9. Here, no such new facts or law have emerged, and the prior order was not in error. No exceptional circumstances warrant the appointment of counsel in this action for the reasons stated therein (Dkt. No. 16). Daria’s motion for reconsideration of her motion for appointment of counsel is **DENIED**.

Daria further moves for leave to file an amended complaint. The prior order dismissing her complaint *sua sponte* observed that she had previously filed a highly similar complaint before Magistrate Judge Donna Ryu, and in this action, as there, it was impossible to determine a clear basis for her claims. Accordingly, the undersigned judge dismissed her complaint under FRCP 12(b)(6) for failure to state a claim.

1 In connection with her motion for leave to amend, Daria has now filed a proposed  
2 amended complaint, which is twenty-seven pages long and provides factual statements in  
3 enumerated paragraphs followed by a statement of three causes of action. Daria has paid her  
4 \$400 filing fee to have her claims heard. Without expressing any opinion as to the merits of  
5 Daria's claims, her motion for leave to amend is **HEREBY GRANTED**. Daria shall file the  
6 amended complaint attached to her motion as a separate docket entry, and shall timely serve  
7 that complaint on all defendants.

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10 **IT IS SO ORDERED.**

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13 Dated: December 1, 2017.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE